

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:05cv288-H**

**CAPITAL PRODUCE DISTRIBUTORS, INC., )  
a South Carolina Corporation, )**

**Plaintiff, )**

**Vs. )**

**ORDER**

**FOOTHILLS PRODUCE MARKET; )  
BOBBY NEFF, individually; and LORI )  
NEFF, individually, )**

**Defendants. )**

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**THIS MATTER** is before the court on the court's own review of its own Motion for Case Status. Earlier this court entered a Stay in accordance with 11 U.S.C. § 362 pending resolution of the individual defendants' Chapter 7 petition or settlement of plaintiff's adversary proceeding. Review of the filings in the adversary proceeding No. 06-50128 now reveals that an Amended Consent Judgment was entered on or about May 2, 2007, which purports to resolve all claims between these parties in the adversary proceeding. Based on such filing, the Stay in this matter will be lifted and the respective parties shall file with this court an appropriate dismissal within 10 days.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the **STAY** entered in accordance with 11 U.S.C. § 362 is **LIFTED**, and the parties shall file with this court a Rule 41(a) stipulation of dismissal within 10 days.

Signed: May 23, 2007

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

